

REMARKS

Claims 21-40 are pending in the application. The Applicant hereby requests further examination and reconsideration of the application in view of these remarks.

On page 2 of the action, the Examiner objects to claims 31-40 “as being a substantial duplicate of claims 21-30,” under MPEP§706.03(k). Claims 21-30 are method claims. Claim 21 recites in its preamble, “A method for processing more than one servo control signal” and further recites steps that the method includes. Claims 22-30, which depend from claim 21, are also method claims. On the other hand, claims 31-40 are apparatus claims. Claim 31 recites in its preamble, “A controller device for processing more than one servo control signal” and further recites functionality of the controller device. Claims 32-40, which depend from claim 31, are also apparatus claims. Having one set of method claims and another set of claims apparatus claims is not only permitted, but is common practice in the USPTO. In fact, MPEP§706.03(k) states that “court decisions have confirmed an applicant's right to restate (i.e., by plural claiming) the invention in a reasonable number of ways.” Here, the preamble of claim 31 recites “a controller device,” while the preamble of claim 21 claims “a method.” Since the two sets of claims are drawn to different categories of invention and contain different recitations in their preambles, the Applicant respectfully submits that the objection to claims 31-40 as being a substantial duplicate of claims 21-30 should be withdrawn.

On page 2 of the action, the Examiner objects to claims 21-30, asserting that the words “a first servo control signal” in line 9 of claim 21 are not distinguishable from the “control signal” in line 8 and therefore should be “a second servo control signal.” However, this objection is in error. Claim 21 recites:

21. A method for processing more than one servo control signal, the method comprising:
detecting a first servo control signal associated with a first device;
detecting a first servo control signal associated with a second device;
calculating a time period between the detection of the first servo control signal associated with the first device and the detection of the first servo control signal associated with the second device; and
adjusting a characteristic associated with at least one of the devices if the calculated time period is not within a predetermined range.

In claim 21, there are two signals clearly differentiated from one another: (1) “a first servo control signal associated with the first device,” and (2) “a first servo control signal associated with the second device.” The reason why there is no “second servo control signal” recited in claim 21, which the Examiner suggests this claim should be amended to recite, is because claim 25 recites “detecting a second servo control signal of one of the devices.” Thus, each of the devices has a first servo control signal, and one of the devices has a second servo control signal. If the Applicant were to amend claim 21 in the manner recommended by the Examiner, claim 25 would be rendered indefinite. There is no ambiguity between a “first servo control signal associated with a first device” and a “first servo control signal associated with a second device.” Therefore, the objection to claim 21 and claims 22-30 depending therefrom is in error and should be withdrawn.

Comments on Statement of Reasons for Allowance

In the “Allowable Subject Matter” portion of the action, the examiner recites “detecting a servo second signal,” based on the Examiner’s recommended amendment to claim 21. However, the Applicant respectfully submits that neither the term “servo second signal,” nor any other term similar thereto,

actually appears in claim 21, and the Applicant is not amending claim 21 to follow this recommendation, as discussed above.

In view of the above remarks, the Applicant believes that the now-pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

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Respectfully submitted,



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